

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

DAVID SHEARRER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No.: 2:19-cv-01062-JHE
	)	
NORFOLK SOUTHERN RAILWAY	)	
COMPANY,	)	
	)	
Defendant.	)	

**DISMISSAL ORDER<sup>1</sup>**

In accordance with the memorandum opinion entered contemporaneously herewith, no issue of material fact exists, and Defendant Norfolk Southern Railway Company (“Norfolk Southern”) is entitled to judgment as a matter of law. Accordingly, Norfolk Southern’s motion for summary judgment, (doc. 240, is **GRANTED**. This action is **DISMISSED WITH PREJUDICE**.

The parties shall bear their own respective costs.

DONE this 9th day of March, 2021.



**JOHN H. ENGLAND, III**  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> In accordance with the provisions of 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73, the parties have voluntarily consented to have a United States Magistrate Judge conduct any and all proceedings, including trial and the entry of final judgment. (Doc. 8).